

S/N 09/864,862

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PEARCY et al. Examiner: Jiping Lu  
Serial No.: 09/864,862 Group Art Unit: 3749  
Filed: May 23, 2001 Docket No.: 12784.2US01  
Title: MICROWAVE LYOPHILIZATION METHOD

CERTIFICATE UNDER 37 C.F.R. 1.6(d)

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on April 6, 2005.

By:   
Name: Karen R. NejdlyNOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AP  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-2, 4-5, 8, 10-14 of the above-identified application, as set forth in the Office Action mailed October 6, 2004.

Please charge Deposit Account No. 13-2725 in the amount of \$250.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b).

Also enclosed is a Petition for three-month extension of time to respond to the Final rejection, thereby extending said period of response from January 6, 2005 to April 6, 2005. Please charge Deposit Account No. 13-2725 in the amount of \$510.00 to cover the required extension fee for small entity.

Please charge any additional fees or credit any overpayment to Merchant & Gould P.C., Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT &amp; GOULD P.C.

Dated: 4/6/05By: Gregory A. Sebald  
Reg. No. 33,280  
GAS/km